

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS**

BEHAVIOR ANALYST CERTIFICATION	)	
BOARD, INC.,	)	
	)	
Plaintiff,	)	
v.	)	Civil Action No. 4:23-cv-00194-ALM
	)	
MICHAEL MOATES, an individual;	)	
MISTY KIESCHNICK, an individual; and	)	
THE GLOBAL INSTITUTE OF BEHAVIORAL	)	
PRACTITIONERS AND EXAMINERS,	)	
	)	
Defendants.	)	

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**RESPONSE TO EMERGENCY MOTION TO (SIC) FOR EXTENSION TO FILE  
RESPONSE TO PLAINTIFF’S PETITION (SIC)**

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Plaintiff, Behavior Analyst Certification Board, Inc., by and through its attorneys, respectfully submits its Response to Defendant Kieschnick’s Motion to (sic) for Extension to File Response to Plaintiff’s Petition (sic). In response, Plaintiff states:

Defendant Misty Kieschnick failed to confer with Plaintiff about her request for an extension of time to respond to Plaintiff’s Complaint. Had Ms. Kieschnick conferred, Plaintiff would have communicated to her that Plaintiff has no objection to the extension. Plaintiff sends its condolences to Ms. Kieschnick during this difficult time.

Plaintiff reserves the right to respond to Ms. Kieschnick’s arguments regarding the merits of this case at a more appropriate time.

Respectfully submitted this 6th day of April, 2023.

HALL, RENDER, KILLIAN, HEATH & LYMAN, P.C.

s/ Mark L. Sabey

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Lindsay K. McManus, *pro hac vice*

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and

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ATTORNEYS FOR PLAINTIFF

### **CERTIFICATE OF SERVICE**

The undersigned certifies that on April 6, 2023, a true and correct copy of the foregoing was served upon the following:

Misty Kieschnick  
9448 Castlewood Dr.  
Fort Worth, TX 76131  
[m.kieschnick@att.net](mailto:m.kieschnick@att.net)  
Defendant – *pro se*

s/ Crystal J. Sebastiani

Crystal J. Sebastiani, Paralegal